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HOUSE BILL 74

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Brian K. Moore

AN ACT

RELATING TO MUNICIPALITIES; PROVIDING THAT CERTAIN
MUNICIPALITIES MAY CONTRACT WITH THE NEW MEXICO STATE POLICE
FOR MUNICIPAL LAW ENFORCEMENT SERVICES; CREATING THE MUNICIPAL
LAW ENFORCEMENT SERVICES FUND; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SMALL MUNICIPALITIES--MUNICIPAL LAW
ENFORCEMENT SERVICES PROVIDED BY THE NEW MEXICO STATE
POLICE--PAYMENTS TO MUNICIPAL LAW ENFORCEMENT SERVICES FUND.--

A. A municipality with a population of not more
than three thousand, as determined in the most recent federal
decennial census, may contract with the New Mexico state police
for the provision of all municipal law enforcement services.

B. The contract shall specify at a minimum:

(1) the duties to be performed by the New

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1 Mexico state police;

2 (2) the time schedule of coverage by the New
3 Mexico state police;

4 (3) that if a municipality elects to contract
5 with the New Mexico state police for the provision of all
6 municipal law enforcement services, the state police shall also
7 furnish necessary supervision, administrative support and
8 operational support to the state police officers who provide
9 the municipal law enforcement services;

10 (4) the term of the contract and provisions
11 for cancellation of the contract; and

12 (5) that the provision of municipal law
13 enforcement services by contract is contingent on legislative
14 appropriations that are sufficient for the New Mexico state
15 police to provide the municipal law enforcement services.

16 C. The contract shall be approved by the governing
17 body of the municipality and the chief of the New Mexico state
18 police. A copy of the contract shall be provided to the
19 legislative finance committee.

20 D. The municipality shall pay the contractual
21 amount for the provision of municipal law enforcement services
22 to the municipal law enforcement services fund on a quarterly
23 basis. The contractual amount may include in-kind services.

24 E. The number of New Mexico state police officers
25 assigned to provide municipal law enforcement services shall

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1 not exceed two state police officers for each one thousand
2 residents of the municipality.

3 Section 2. MUNICIPAL LAW ENFORCEMENT SERVICES FUND--
4 CREATED. --The "municipal law enforcement services fund" is
5 created in the state treasury. The fund consists of payments
6 from municipalities for contracted law enforcement services,
7 income from investment of the fund and money otherwise accruing
8 to the fund. Money in the fund shall not revert to any other
9 fund at the end of a fiscal year. The department of public
10 safety shall administer the fund and money in the fund is
11 appropriated to the department of public safety to provide
12 contracted law enforcement services to municipalities. Money
13 in the fund shall be disbursed on warrants signed by the
14 secretary of finance and administration pursuant to vouchers
15 signed by the secretary of public safety or the secretary's
16 authorized representative.

17 Section 3. EFFECTIVE DATE. --The effective date of the
18 provisions of this act is July 1, 2005.